

EXHIBIT J

From: Roberto Luis Costales <rlc@beaumontcostales.com>
Date: January 22, 2021 at 3:28:20 PM CST
Subject: Re: Fischer v. Instant Checkmate follow up from our meet and confer today
To: Berman, Debbie L. <DBerman@jenner.com>
Cc: Thomson, Wade A. <WThomson@jenner.com>, Crook, Sara M. <SCrook@jenner.com>, Damon Wright <dwright@grsm.com>, Levin, Joshua M. <JLevin@jenner.com>, William H. Beaumont <whb@beaumontcostales.com>

External Email – Exercise Caution

Debbie:

I am writing re Plaintiffs' discovery supplements. Unfortunately, I am still waiting to hear back from my clients and I will not be returning to work today. I will be in touch with them during the weekend and I expect to have the actual supplemental responses to you on or before Sunday. That said, I can still provide you with the following information:

First, we do not object to providing Plaintiff Adams' and Harper's email addresses. Plaintiff Adams' is: tiffany.adams88@yahoo.com. Plaintiff Harper's is: robert112harper@gmail.com.

Second, we will be supplementing Plaintiff Lukis' "off Facebook" browser activity with a record reflecting activity on the Instant Checkmate website. I do not believe that we have any obligation to share with you the scope of our productions in the *Whitepages* matter. Nevertheless, I can tell you that the disclosures will have been identical - except that in *Whitepages* we provided a slightly different unredacted version of Lukis' "off Facebook" browser activity.

Third, please be advised that Plaintiff Fischer's responses will not include any of his private Facebook data. As I mentioned in my last email, our review of the case law indicates that blanket social media discovery requests are improper - particularly where those requests seek private information i.e. messages, browser histories, etc. I will certainly consider any case law that says the opposite, to the extent there is any.

Finally, we have again reviewed Plaintiffs' responses to Defendant's request to admit no. 2 and interrogatory nos. 3 and 4. We do not believe that our answers to those requests are inconsistent.

Thank you,

Roberto

On Wed, Jan 20, 2021 at 9:08 PM Berman, Debbie L. <DBerman@jenner.com> wrote:

Roberto:

Good evening. As we are evaluating Ms. Lukis' production, please confirm whether or not you produced all of the materials regarding Ms. Lukis' social media history that you produced in the Whitepages matter. I would appreciate an answer to all of my questions by Friday. We would like to try to resolve all of this amicably, but we will seek the Court's assistance if necessary.

Take care and be well.

Best,
Debbie

From: Berman, Debbie L. <DBerman@jenner.com>
Sent: Wednesday, January 20, 2021 10:22 AM
To: Roberto Luis Costales <rlc@beaumontcostales.com>
Cc: Thomson, Wade A. <WThomson@jenner.com>; Crook, Sara M. <SCrook@jenner.com>; Damon Wright <dwright@grsm.com>; Levin, Joshua M. <JLevin@jenner.com>
Subject: RE: Fischer v. Instant Checkmate follow up from our meet and confer today

Roberto:

Good morning. Hope you are well. Just wanted to follow up on my last request for all of the email addresses that the new plaintiffs have used. We hope that we can exchange this information cooperatively. I would appreciate it if you would let me know asap if you are willing to do so and when you might expect sending them to us. If you aren't, we will send formal discovery though we hope it won't be necessary.

Take care and be well.
Best,
Debbie

From: Berman, Debbie L. <DBerman@jenner.com>
Sent: Wednesday, January 13, 2021 3:52 PM
To: Roberto Luis Costales <rlc@beaumontcostales.com>
Cc: Thomson, Wade A. <WThomson@jenner.com>; Crook, Sara M. <SCrook@jenner.com>; Damon Wright <dwright@grsm.com>; Levin, Joshua M.

<JLevin@jenner.com>

Subject: Fischer v. Instant Checkmate follow up from our meet and confer today

Roberto:

Thank you for taking the time to meet and confer with us today about plaintiffs Lukis' and Fischer's discovery responses. To confirm, we agreed on the following:

1. By Monday, January 18th you will provide all data accessible from Lukis's Twitter, Facebook, and LinkedIn accounts. This data will include all materials she is able to download, including, but not limited to posts, browsing history, user history, consents, and messages.
2. By Friday, January 22nd you will have Lukis try to obtain the same types of information from Reddit. We have made a few inquiries and have learned that the Reddit app tracks the user's local browsing history (including subreddits you have navigated to via click-through or searching, posts you have viewed, things you have upvoted/downvoted, etc.). We are still determining if you can wholesalely download that information like Ms. Lukis apparently did for her other social media accounts, but you can definitely screenshot within the browsing history interface. Also, even if you are unable to obtain the full materials requested, you will provide us with her Reddit posts by the 22nd. Please provide us with her Reddit user name to assist in trying to investigate other potential ways to obtain the information.
3. By Friday, January 22nd you will provide all data accessible from Fischer's Facebook and Twitter accounts. This data will include all materials he is able to download, including, but not limited to posts, browsing history, user history, consents, and messages.
4. By Friday, January 22nd you agreed you will tell us where you stand on your work product invocations in the Request to Admit. As we discussed, it seems like plaintiffs pick and chose where to invoke privilege concerning your activities on the Instant Checkmate website.
5. By Friday, January 22nd you agreed you will provide the verifications for both Ms. Lukis' and Mr. Fischer's interrogatory responses.

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6. We will get back to you with proposed dates for the Sheim Edelbrock deposition. You agreed on an 11:00 AM cst start time and that you will only need half a day so four hours or less.

As we discussed, we will review the information you provide in items 1-3 above and will determine if it is sufficient to satisfy our requests. If not, we will follow up with you. You also agreed that we or you learn that the plaintiffs have additional social media accounts, you will provide the same information for those accounts.

One additional thing that I didn't raise on the call. Please provide us with all email addresses for the two new plaintiffs, Harper and Adams, so we can look into the issue of whether they agreed to the terms and conditions. We would appreciate this information by Monday, January 18, if possible. If you are unwilling to voluntarily doing so, please let us know asap so we can issue formal discovery though I hope that will be unnecessary.

Take care and be well.

Best,
Debbie

Debbie L. Berman

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